

REMARKS

Upon entry of the present amendment, claims 1, 8, 17, and 20 will have been amended.

In the outstanding Official Action, the Examiner rejected claims 1, 2, 8-11, 17, 18, 20-22, and 24 under 35 U.S.C. § 102(e) as being anticipated by BEYDA et al. (U.S. Patent No. 6,487,277). The Examiner also rejected claims 3-7, 12-16, 19, and 23 under 35 U.S.C. § 103(a) as being unpatentable over BEYDA et al.

The Examiner asserted that BEYDA et al. disclose an IVR system that provides for the automatic updating of the order of menu options presented to a user based on the frequency of options chosen by a particular caller, or a plurality of callers. Additionally, the Examiner asserted that BEYDA et al. teach an IVR that has a first level menu and a plurality of lower level menus, each having a plurality of options, and that selection of one of the options by the caller routes the call according to the caller's selection.

The Examiner also asserted that it would have been obvious for one of ordinary skill in the art at the time the invention was made to have applied the system of BEYDA et al. to a telephony service provisioning call center, and to have integrated the use of agents into the system of BEYDA et al. for use as a front-end for an agent-employing call center. Further, the Examiner asserted that billing, service changes, additions, deletions, account opening or closing, service reconnection or relocation, and information gathering are all very old and

well known customer tasks that a customer may access/employ. In accordance with MPEP § 2144.03(C), the Examiner is requested to provide documentary evidence supporting the Examiner's assertions.

In view of the amendments to the claims, Applicants respectfully traverse these rejections. Initially, Applicants disagree with the Examiner's assertion that it would have been obvious for one of ordinary skill in the art at the time the invention was made to have applied the system of BEYDA et al. to a telephony service provisioning call center, and to have integrated the use of agents into the system of BEYDA et al. for use as a front-end for an agent-employing call center. Applicants believe that the Examiner is applying hindsight in making his rejection. In this regard, the Examiner is requested to produce a reference to support his naked assertions of obviousness.

Applicants also disagree with the Examiner's assertion that billing, service changes, additions, deletions, account opening or closing, service reconnection or relocation, information gathering are all very old and well known customer tasks that a customer may access/employ. Again, the Examiner is requested to produce a reference to support his assertion.

BEYDA et al. disclose an IVR system that adjusts the presentation order of a plurality of prompts, based upon a caller pattern of prompt selection. By monitoring incoming calls to determine what prompts are most frequently selected, the IVR system can tailor the

presentation order to the needs of individual users. However, BEYDA et al. are silent as to the mechanism used to analyze the data and how the specific messages are selected. Callers to customer service centers are often confused as to what menu message from which to select. BEYDA et al. do not provide a customer-friendly system that permits callers to more readily identify with the menu prompts.

Conversely, in one aspect of the present invention, the menu messages for the customer-centric menu are designed using actual language used by callers, as collected during a set of selected calls. Initially, individual tasks are identified during a set of selected customer calls to the customer service center. Then, the tasks are recorded in a customer task frequency table, using the actual terminology spoken by the callers during the set of selected customer calls. This customer-friendly approach is a distinct advantage that is clearly not taught nor contemplated in BEYDA et al.

Additionally, BEYDA et al. lack the customer task frequency table used to generate the customer-centric menu. The customer task frequency table provides the basis for designing the customer-centric menu by identifying the content of the menu, sequence of the menu items, and terminology used in the menu messages. BEYDA et al. are vague regarding the compilation of data and are submitted to be deficient in this regard.

By the present response, Applicants have without acquiescing in the propriety of the Examiner's rejection amended claims 1 8, 17, and 20 herein to further clarify the claimed

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subject matter.

Thus, in view of the amendments and arguments herein, Applicants submit that claims 1, 8, 17, and 20 are now in condition for allowance. With regard to dependent claims 2-7, 9-16, 18-19, and 21-24, Applicants assert that they are allowable on their own merits, at least because they depend either directly or indirectly from independent claims 1, 8, 17, and 20, which Applicants have shown to be allowable.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the reference cited by the Examiner, and an indication to such effect is respectfully requested, in due course.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections, as well as an indication of the allowability of each of the claims.

Finally, Applicants would like to thank the Examiner for acknowledging that the drawings filed on November 6, 2001 are acceptable.

SUMMARY AND CONCLUSION

Applicants believe that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have amended the claims and argued their allowability. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the recited claims therein are respectfully requested and now believed to be appropriate.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, please contact the undersigned at the telephone number provided below.

Respectfully submitted,  
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